

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,**

**Plaintiff,**

**v.**

**HTC CORPORATION, ET AL.,**

**Defendants.**

**Civil Action No. 2:17-cv-00078-RWS-RSP  
(Consolidated Lead)  
JURY TRIAL DEMANDED**

**JOINT STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendants HTC Corporation and HTC America, Inc. (together, “HTC”), hereby state that they have finalized their agreement settling matters in controversy between them. Accordingly, CCE and HTC stipulate to the dismissal of all of CCE’s claims against HTC in Case No. 2:17-cv-078 WITH PREJUDICE and all of HTC’s claims against CCE in Case No. 2:17-cv-078 WITHOUT PREJUDICE.

CCE also seeks to dismiss CCE’s claims against AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, the “Carrier Defendants”) that were severed and stayed from Case No. 2:17-cv-078 (see ECF 109) WITH PREJUDICE solely to the extent those claims for relief asserted therein involve the manufacture, use, offer for sale, sale, and/or importation of products manufactured by or for HTC that are the subject of the CCE-HTC settlement agreement. The Carrier Defendants do not oppose.

CCE and HTC ask that the Court enter the attendant proposed Order of Dismissal, with

each party to bear its own costs, expenses and attorneys' fees.

**Dated: July 9, 2018**

<p>By: <u>/s/ Jeffrey R. Bragalone</u>  Jeffrey R. Bragalone (lead attorney)  Texas Bar No. 02855775  Terry A. Saad  Texas Bar No. 24066015  Jonathan H. Rastegar  Texas Bar No. 24064043  Jerry D. Tice II  Texas Bar No. 24093263</p> <p><b>BRAGALONE CONROY PC</b>  2200 Ross Avenue  Suite 4500W  Dallas, TX 75201  Tel: (214) 785-6670  Fax: (214) 785-6680  <a href="mailto:jbragalone@bcpc-law.com">jbragalone@bcpc-law.com</a>  <a href="mailto:tsaad@bcpc-law.com">tsaad@bcpc-law.com</a>  <a href="mailto:jrastegar@bcpc-law.com">jrastegar@bcpc-law.com</a>  <a href="mailto:jtice@bcpc-law.com">jtice@bcpc-law.com</a></p> <p>Edward R. Nelson III  ed@nbafirm.com  Texas State Bar No. 00797142  Ryan P. Griffin  ryan@nbafirm.com  Texas State Bar No. 24053687  Thomas C. Cecil  tom@nbafirm.com  Texas State Bar No. 24069489  Nelson Bumgardner Albritton PC  3131 West 7<sup>th</sup> Street, Suite 300  Fort Worth, Texas 76107  Phone: (817) 377-9111  Fax: (817) 377-3485</p> <p>Bradley W. Caldwell  Texas Bar No. 24040630  Email: <a href="mailto:bcaldwell@caldwellcc.com">bcaldwell@caldwellcc.com</a>  John Austin Curry  Texas Bar No. 24059636  Email: <a href="mailto:acurry@caldwellcc.com">acurry@caldwellcc.com</a></p>	<p>/s/ <u>Nicole S. Cunningham</u>  Nicole S. Cunningham  CA State Bar No. 234390  Steve A. Moore  CA State Bar No. 232114  PILLSBURY WINTHROP SHAW  PITTMAN LLP  501 West Broadway, Suite 1100  San Diego, California 92101  (619) 544-3119  (619) 236-1995 (fax)  <a href="mailto:Nicole.Cunningham@PillsburyLaw.com">Nicole.Cunningham@PillsburyLaw.com</a>  <a href="mailto:Steve.Moore@PillsburyLaw.com">Steve.Moore@PillsburyLaw.com</a></p> <p><b>ATTORNEYS FOR DEFENDANTS</b>  <b>HTC CORPORATION AND HTC</b>  <b>AMERICA INC.</b></p>
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**ATTORNEYS FOR CELLULAR  
COMMUNICATIONS EQUIPMENT LLC**

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule CV-7(h), I certify that the all parties have met and conferred and that this Stipulation is unopposed.

*/s/ Jonathan H. Rastegar*  
Jonathan H. Rastegar

**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2018, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

*/s/ Jonathan H. Rastegar*  
Jonathan H. Rastegar